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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12
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14 UNITED STATES OF AMERICA,) NO. CR-16-531 EMC
)
15 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
) EXCLUDING TIME FROM THE SPEEDY TRIAL
16 v.) ACT
)
17 CHRISTOPHER KINNEY,)
)
18 Defendant.)
)

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21 **STIPULATION**

22 IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

23 1. This case has been related to case number CR 16-508, *United States v. Krishna*
24 *Viramontes*. On June 8, 2017, Viramontes filed a motion to suppress, which motion defendant
25 Christopher Kinney joined on July 12, 2017. On November 14, 2017, the Court issued an order denying
26 Viramontes's motion to suppress. On November 16, 2017, the Court issued an order denying defendant
27 Christopher Kinney's motion for joinder. This case was then set for a status hearing on January 10,
28

1 2018 at 2:30 p.m.

2 2. The parties agree and respectfully request that the period from November 16, 2017 and
3 January 10, 2018 be excluded from the otherwise applicable Speedy Trial Act computation because the
4 time is necessary for effective preparation of counsel, taking into account the exercise of due diligence
5 pursuant to 18 U.S.C. § 3161(h)(7)(A) and (b)(iv).

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7 IT IS SO STIPULATED.

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9 DATED: November 16, 2017

BRIAN J. STRETCH
United States Attorney

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11 /s/
KAREN KREUZKAMP
12 Assistant United States Attorney

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14 DATED: November 16, 2017

15 /s/
16 GAIL SHIFMAN
17 Counsel for Defendant
Christopher Kinney

~~**[PROPOSED]**~~ **ORDER**

Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice served by granting this continuance outweigh the best interest of the public and the defendant in a speedy trial, and that failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and accordingly excludes time from November 17, 2017 through and including January 10, 2018. The Court finds this exclusion necessary to allow for the effective preparation of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 11/17/17

HON. EDWARD M. CHEN
United States District Judge

